

SENATE BILL 2867

By Burchett

AN ACT to amend Tennessee Code Annotated, Title 8;  
Title 39 and Title 40, relative to certain offenses  
committed against children.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 8, Chapter 7, Part 3, is amended by  
adding the following as a new section:

Section 8-7-316.

(a) Each district attorney general shall compile, or caused to be compiled,  
an annual report containing information on a case-by-case basis for each offense  
enumerated in this section that occurs in the judicial district the district attorney  
serves.

(b) This section applies to any "child sexual offense" which is defined as  
any offense the conviction for which requires the defendant to register as a  
sexual offender or violent sexual offender pursuant to title 40, chapter 39, part 2,  
and where the victim of the offense is a minor.

(c)

(1) Each district attorney shall compile in the annual report the  
following information:

(1) Each defendant convicted, either as the result of a  
bench or jury trial or a plea of guilty, of a child sexual offense and  
the offense for which the defendant was convicted;

(2) Each defendant entering a plea of guilty to a child  
sexual offense, whether the plea was to the offense charged, and

the offense to which the plea was entered, if not to the offense charged;

(3) Each defendant charged and tried for a child sexual offense but who, as the result of a bench or jury trial, was acquitted of the charged offense or was found guilty of a lesser included offense that was not a child sexual offense, and the offense for which the defendant was charged and the offense for which the defendant was convicted, if any;

(4) Each defendant who was charged with a child sexual offense but the charge was dismissed or not pursued; and

(5) Each defendant arrested and charged with a child sexual offense but who was not indicted by the grand jury.

(2) The district attorney shall report each case individually and by total of each type of case disposition.

(3) For purposes of this section, only those cases closed during the calendar year of the report shall be included in the annual report; provided that the district attorney shall include the number of open child sexual offense cases on December 31 of the calendar year of the report.

(c) The district attorneys general conference may develop uniform forms to assist district attorneys in the compilation of the annual reports required pursuant to this section.

(d) No information about the victim shall be included in any annual report or the omnibus child sexual offense case disposition report required by this section.

(e) Prior to January 15 each year, each district attorney shall transmit the annual report for the preceding calendar year to the executive director of the district attorneys

general conference. For the calendar year ending December 31, 2008, each district attorney shall include data from September 1, 2008, until December 31, 2008, in such district attorney's annual report. The executive director shall combine all such reports into an omnibus child sexual offense case disposition report. Such omnibus report shall be delivered to the governor, speaker of the senate, speaker of the house and to each member of the general assembly prior to February 5 each year.

(f) The omnibus child sexual offense case disposition report shall be posted on the web site of the conference within ten (10) calendar days of delivery of such report to the governor and members of the general assembly.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.